



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,989	09/10/2003	Jan Bastiaan Bouwstra	BOUWSTRA-3	6068

545 7590 09/08/2006

ROGER PITT  
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP  
599 LEXINGTON AVENUE  
33RD FLOOR  
NEW YORK, NY 10022-6030

EXAMINER
----------

DESAI, ANAND U

ART UNIT	PAPER NUMBER
----------	--------------

1653

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



5  
UNITED STATES DEPARTMENT OF COMMERCE

**U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10-688989

EXAMINER
----------

ART UNIT	PAPER
----------	-------

20060830

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Supplemental examiner's amendment to the specification to clarify paragraphs on page 8, lines 7-20, and page 9, lines 4-9.

### DETAILED ACTION

1. This office action is a supplemental examiners amendment to the specification to clarify the amendment to page 8, lines 7-20 and page 9, lines 4-9.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dr. Roger Pitt on August 30, 2006.

Examiner's amendment to the specification:

*Please amend the paragraph on page 8, lines 7-20 to read as follows:*

In order to maintain a suitable colloid osmotic pressure in combination with a targeted clearance rate from the blood circulation system when administered to a subject, the molecular weight of a gelatin-like molecule for use according to the invention should be at least 10,000 Daltons, preferably more than 20,000 Daltons, more preferably more than 30,000 Daltons. Even more preferably the molecular weight is between about 30,000 Daltons and 120,000 Daltons.

~~Obviously to~~ To reach molecular weights of more than 50,000 Daltons a multimer, at least a dimer, of the gelatin-like protein defined in claim 1 has to having a colloid osmotic function, being a recombinant gelatin-like protein with a molecular weight of from at least 10,000 Daltons to at most 50,000 Daltons and having an isoelectric point of less than 8, can be prepared.

Preferably, the gelatin-like molecule for use according to the invention has a low amount of

Art Unit: 1653

hydroxyproline residues, meaning that less than 10% of the aminoacid residues in the polypeptide are hydroxyproline residues. The amount of hydroxyprolines is restricted to prevent gelation of the recombinant gelatin. It is preferred to avoid gelation, since this limits the concentration in which the plasma expander can be applied or requires warming of the plasma expander solution before administering.

*Please amend the paragraph at page 9, lines 4-9 to read as follows:*

As mentioned earlier, plasma substitution compositions comprising gelatins can be lethal to subjects having an allergy or an auto-immune disease. When pursuing the approach of recombinant production of gelatins and bearing in mind that such gelatins should be even less immunogenic in human subjects than the presently used bovine derived gelatins, it is obvious to take up production of recombinant human gelatin. In addition it is obvious not to induce marked changes in the basic gelatin structure.

### ***Conclusion***

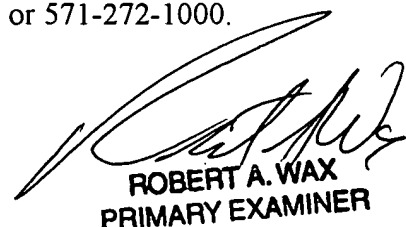
3. Claims 1-28, 31, and 32 were previously allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand U. Desai, Ph.D. whose telephone number is (571) 272-0947. The examiner can normally be reached on Monday - Friday 9:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jon P. Weber can be reached on (517) 272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 30, 2006



ROBERT A. WAX  
PRIMARY EXAMINER